

Appointment

From: O'Neill, Sandra [ONeill.Sandra@epa.gov]
Sent: 6/26/2018 5:00:14 PM
To: Rosenblatt, Daniel [Rosenblatt.Dan@epa.gov]; Hathaway, Margaret [Hathaway.Margaret@epa.gov]; Baris, Reuben [Baris.Reuben@epa.gov]; Perlis, Robert [Perlis.Robert@epa.gov]; Goerke, Ariadne [Goerke.Ariadne@epa.gov]; Schmid, Emily [Schmid.Emily@epa.gov]; Dyer, Brian [Dyer.Brian@epa.gov]; Cobb, Christina [cobb.christina@epa.gov]; Teter, Royan [Teter.Royan@epa.gov]
CC: Wormell, Lance [Wormell.Lance@epa.gov]; Vizard, Elizabeth [Vizard.Elizabeth@epa.gov]; Ambrosino, Helene [Ambrosino.Helene@epa.gov]; Knorr, Michele [knorr.michele@epa.gov]
Subject: Dicamba Re-labeling Clarification Conference **Ex. 6 Personal Privacy (PP)**
Attachments: Dupont Fexapan Herbicide Plus Vaporgrip Technology 352-913-20171016.pdf; Xtendimax With VaporGrip Technology 2017-10-12.pdf; Engenia - BASF 2017-10-12.pdf; KDR-143009716.pdf
Location: DCRoomPYS9100/Potomac-Yard-One
Start: 6/26/2018 7:00:00 PM
End: 6/26/2018 8:00:00 PM
Show Time As: Tentative

Required Attendees: Rosenblatt, Daniel; Hathaway, Margaret; Baris, Reuben; Perlis, Robert; Goerke, Ariadne; Schmid, Emily; Dyer, Brian; Cobb, Christina; Teter, Royan
Optional Attendees: Wormell, Lance; Vizard, Elizabeth; Ambrosino, Helene; Knorr, Michele

Adding an extra attachment with relabeling instructions from Monsanto.

Adding a conference line:

Conference phone number: **Ex. 6 Personal Privacy (PP)**

Conference ID: **Ex. 6 Personal Privacy (PP)**

All,

Missouri (MO) has cited misbranding as the reason for issuing state SSUROs for dicamba products and wants to get clarity on whether this would be valid for federal SSUROs as well. Dicamba products can come in cardboard boxes that contain two 2.5 gallon jugs per box. MO is seeking clarification on where the new dicamba labels (Xtendimax, Engenia, and Fexapan) are required to be placed on the outside of the box or whether the new labels have to be on the individual 2.5 gallon jugs themselves.

I've summarized my understanding of the relabeling issue based on conversations with RD and OCE below, if I have any part of this wrong, I'd appreciate your review and comment.

- If we're able to determine that the dicamba product in question was produced after the relabeling requirement effect date, then it's subject to new labeling requirements (and could be subject to a federal SSURO if improperly labeled).
- If the dicamba product in question was produced before the relabeling requirement effect date, there's less certainty.
 - OPP had understood from registrants that the smallest unit of sale for these products would be the box, not the 2.5 gallon jugs. However, the terms and conditions set forth in the registration amendment letters sent to registrants (attached) do not preclude the sale of the 2.5 gallon jugs that do not have the new labels; therefore, it is not a federal violation to sell the 2.5 gallons jugs without the new labels.
 - R7's interpretation of the registration amendment letters is that all individual jugs has to be properly relabeled.

- We need to discuss messaging to the regions and states on how to deal with the existing stocks produced before the effect date.
 - RD is checking with AAPCO to inquire whether MO's issue is being seen elsewhere or if it's a one state issue.